

ORDINANCE NO. 08- 318

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING TITLE 9 OF THE LOS ALTOS MUNICIPAL CODE PERTAINING TO THE USE OF PUBLIC PARKS

WHEREAS, the City Council recognizes the social, cultural and economic enrichment that public parks bring to the City and its residents; and

WHEREAS, the City Council recognizes that public parks enhance the City's lifestyle and provide benefits to the City and its residents; and

WHEREAS, the City Council finds that it is necessary to establish policies and procedures which allow for the advance planning and management of public parks; and

WHEREAS, the City Council finds that it is necessary for the protection and preservation of public parks to prohibit certain uses within public parks; and

WHEREAS, the City Council finds that it is the intent of this ordinance to protect the rights of its residents by establishing the least restrictive and most reasonable manner of regulation of public parks; and

WHEREAS, the ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), and the guidelines promulgated thereunder and, further, said Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations.

The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:**

Article 9 entitled "Public Parks" is hereby amended by adding a new Section 9.24.030 entitled "Prohibited activities in parks" to read as follows:

**Section 9.24.030. Prohibited activities in parks.**

A. The following activities are prohibited in any public park:

1. Hawking, vending, peddling, selling, soliciting the sale of or offering for sale any food, drink, goods, wares, merchandise or services of any kind, or advertisement of the same, in any park. Commercial activities or special events for which permits have been issued by the City may be permitted in parks.
2. Playing or practicing golf, lawn darts, horse shoes or baseball games in any area of a park not designated for such use.

3. Operating or riding a motorcycle, moped, motorbike, motorized bicycle, motorized scooter or any other vehicle on any path or walkway in a park. This section does not apply to wheelchairs and other devices for the disabled or vehicles used in the maintenance and service of the parks.

4. Stopping, parking, riding, or driving any horse or other animal, or propelling or parking any bicycle, unicycle, skateboard, roller skates, roller blades or other wheeled apparatus other than on the areas designated for those uses or upon the lawn or landscaped areas of a park. This section does not apply to wheelchairs and other devices for the disabled or vehicles used in the maintenance and service of the parks.

5. Lighting or maintaining fires, except on places provided by the City or in a portable barbecue for which a park permit has been obtained and permits fees paid. Permit fees are adopted by a resolution of the City Council.

6. Leaving or disposing of any garbage, trash, cans, bottles, papers or other refuse other than in the receptacles provided.

7. Pasting, gluing, tacking, or otherwise posting any sign, placard, advertisement or inscription on any park facility, equipment or building, except as permitted by this code.

8. Constructing or erecting a swing suspended by a rope or other swinging device from a tree, sculpture or monument in a park.

9. Using or attempting to use, or interfering with the use of any table, space, building or facility within a park which at the time is reserved for a permit holder.

10. Skating with roller skates, in-line skates or propelling any wagon, scooter, or vehicle, skateboard, bicycle or other wheeled apparatus upon any city tennis court, except wheelchairs or other apparatus for the disabled.

11. Using a bounce house or other special amusement attraction without obtaining a park permit and paying the permits fees. Said permit fees are adopted by a resolution of the City Council.

B. Enforcement and park closures.

1. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor.

2. The City shall have the authority to close any park facility or portion thereof and require the exit of all persons therein when the park facility is closed for maintenance or when the City determines that conditions exist in said park facility or portion thereof which present a hazard to the park facility or to public safety.

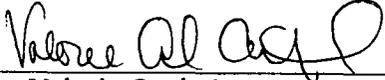
**SECTION 2. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 3. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

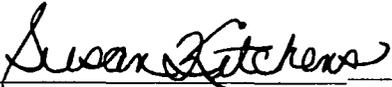
SECTION 4. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on December 11, 2007 and was thereafter, at a regular meeting held on January 8, 2008, passed and adopted by the following vote:

Ayes: PACKARD, SATTERLEE, CASAS, BECKER, CARPENTER  
Noes: NONE  
Absent: NONE

  
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Valorie Cook Carpenter, MAYOR

Attest:

  
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Susan Kitchens, CITY CLERK

January 10, 2008